

APPENDIX A

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No.	FAC	Date	Where Made	Portion of Challenged Statement
3	¶138	4/17/08	1Q08 earnings press release	“on-going quality and cost improvements in our factories”
10	¶140	4/17/08	1Q08 earnings conference call	“we’ve demonstrated improving margins in the [systems] segment”
11	¶146	7/17/08	2Q08 earnings press release	“[W]e continue to execute on our long-term strategy focused on...cost....We are well-positioned for success entering the second-half of the year.”
14	¶146	7/17/08	2Q08 earnings press release	“We saw our silicon unit costs materially decline in the second quarter as we started to realize the benefit of our portfolio approach to silicon supply” “we...remain fully contracted for our silicon needs through 2010”
15	¶147	7/17/08	2Q08 earnings press release	“continued progress on our 50 percent reduction in installed system costs”
16	¶148	7/17/08	2Q08 earnings conference call	“[A]s we more fully utilize our second fab, our costs come down as well, so our costs decrease and compounded with the higher vertical integration, so it improves our [] cost position rather significantly.”
19	¶156	10/16/08	3Q08 earnings press release	“Due to strong industry fundamentals, continued execution of our vertical integration strategy...and our progress on our cost reduction programs.”
21	¶157	10/16/08	3Q08 earnings conference call	“Due to strong industry fundamentals, continued execution on our vertical integration strategy...and our progress on our cost reduction programs.”
23	¶166	1/29/09	4Q08 earnings conference call	“‘[W]e have tested our model and can sustain module ASP reductions in excess of 20% by accelerating our cost reduction programs and limiting our operating expense growth.’ Werner further stated that ‘[t]he combination of 50% lower module costs, 50% lower balance of system costs and improved energy delivery allow us to compete favorably on a levelized cost of energy basis in all markets.’”
24	¶171	2/26/09	FY08 Annual Report	“In the third quarter of fiscal 2008, we implemented a new enterprise resource planning (‘ERP’) system in our subsidiaries around the world, which resulted in a material update to our system of internal control over financial reporting. Issues encountered

				subsequent to implementation caused us to further revise our internal control process and procedures in order to correct and supplement our processing capabilities within the new system in that quarter.”
25	¶175	4/23/09	1Q09 earnings press release	“Our quarterly performance was impacted by seasonality, the continuing effects of the credit crisis and difficult economic conditions. Despite these headwinds we were able to deliver strong gross margins in our Components business and positive non-GAAP net income. We have responded to current market conditions by moving to a demand-driven manufacturing model and reducing our planned operating expenses to align with our adjusted revenue outlook. Looking forward, we see positive trends emerging in a number of market segments, including the rooftop, distributed power plant and utility markets.”
27	¶178	4/23/09	1Q09 earnings conference call	“So in terms of the inventory and risk of write-down, we mentioned that we have implemented a demand-driven supply chain. And what that means is that we will regulate or size the amount of manufacturing that we do based on the amount of inventory that we have between us and installation. So by definition, we are able to manage that inventory level down by managing how much we produce.”
28	¶179	4/23/09	1Q09 earnings conference call	“[L]et me be clear. We have already adjusted our manufacturing to lower the amount of inventory that we carried from Q1, and satisfy what we expect our business to be in Q2.”
29	¶185	7/23/09	2Q09 earnings press release	“[W]e recorded solid second-quarter results in a demand driven market, consistent with our operating plan. In all of our markets, we are encouraged by the improving industry trends we are seeing in both end demand and financing....Our manufacturing costs are competitive today....Customers continue to choose SunPower due to our superior roof top and power plant experience, industry leading performance of our solar panels and tracking technology, and our ability to drive attractive project returns for our customers.”
31	¶195	10/22/09	3Q09 earnings conference call	“But we’re continuing to bring costs down. Capacity utilization is continuing to improve. Which means we’re having (inaudible) unabsorbed costs.”